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I hereby certify that this correspondence is being filed electronically with the U.S. Patent and Trademark Office on the below date:

Date: April 10, 2008 Name: Stephen C. Smith, Reg. No. 56,250 Signature: /Stephen C. Smith/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: FOSTER et al.

Appln. No.: 10/617,580

Filed: July 11, 2003

For: Flexible Cannula

Attorney Docket 10922-51 (PA-5338 RFB)
No:

Examiner: Nguyen

Art Unit: 3731

Confirmation No. 3677

PETITION AND FEE FOR EXTENSION OF TIME (37 CFR § 1.136(a))

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a petition for an extension of the time to respond to Non-final Office Action dated December 14, 2007 for a period of 1 month(s).

Applicant is: ☐ small entity (per 37 CFR 1.27) ☒ other than small entity

	Extension Months	Other Than Small Entity	Small Entity
<input checked="" type="checkbox"/>	One Month	\$120.00	\$60.00
<input type="checkbox"/>	Two Months	\$460.00	\$230.00
<input type="checkbox"/>	Three Months	\$1,050.00	\$525.00
<input type="checkbox"/>	Four Months	\$1,640.00	\$820.00
<input type="checkbox"/>	Five Months	\$2,230.00	\$1,115.00

Payment Method:

- ☐ Check in the amount of \$_____ is enclosed to cover the fees listed above.
- ☐ Payment by credit card in the amount of \$_____ to cover the fees listed above. Form PTO-2038 is enclosed for this purpose.
- ☒ The Commissioner is hereby authorized to charge \$120 to cover the fees listed above to Deposit Account No. 23-1925. If filed by mail, a duplicate copy of this paper is enclosed for this purpose.
- ☒ The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925. If filed by mail, a duplicate copy of this paper is enclosed for this purpose.

Respectfully submitted,

Dated: April 10, 2008

/Stephen C. Smith/
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